

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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DORA E. GUTIERREZ-BONILLA,

Plaintiff,

- against -

TARGET CORPORATION and
TARGET DEPARTMENT STORE,

Defendants.
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ORDER

CV 08-3985 (JS) (AKT)

A. KATHLEEN TOMLINSON, Magistrate Judge:

Before the Court is Plaintiff's Motion [DE 24] for (1) leave to take the deposition of Maria Rivera, an employee of Defendant Target, and (2) the imposition of sanctions upon Defendants for the alleged spoliation of surveillance footage. I have reviewed Plaintiff's motion [DE 24] and supplemental letter [DE 27], as well as Defendants' opposition [DE 26] to the motion.

With regard to Plaintiff's request for leave to depose Maria Rivera, having reviewed the arguments made by both parties, I am directing Defendants to make Ms. Rivera available for deposition between now and December 31, 2009 at the latest. Ms Rivera may be deposed for a maximum of three hours.

As to the request for spoliation sanctions, Plaintiff's application remains under consideration. The parties will be notified on ECF when a ruling on the issue has been rendered.

SO ORDERED.

Dated: Central Islip, New York
December 9, 2009

/s/ A. Kathleen Tomlinson
A. KATHLEEN TOMLINSON
U.S. Magistrate Judge